## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

GUCCI AMERICA, INC.,

Plaintiff,

Civil Action No. 09cv4373 (SAS)

- against -

GUESS?, INC., MARC FISHER FOOTWEAR LLC, THE MAX LEATHER GROUP/ CIPRIANI ACCESSORIES, INC., SEQUEL AG, K&M ASSOCIATES L.P., VIVA OPTIQUE, INC., SIGNAL PRODUCTS, INC., and SWANK, INC.,

Defendants.

## MARC FISHER LLC'S NOTICE OF MOTION FOR SUMMARY JUDGMENT

PLEASE TAKE NOTICE that, upon the Memorandum of Law in Support of Defendants' Motion for Summary Judgment, Marc Fisher LLC's Supplemental Memorandum of Law, Defendants' Statement of Undisputed Material Facts Pursuant to Local Civil Rule 56.1, Marc Fisher LLC's Rule 56.1 Statement of Undisputed Material Facts, the Declaration of Darren W. Saunders with all exhibits thereto, and the Declaration of Robert C. Welsh with all exhibits thereto, Defendant Marc Fisher LLC will move before the Honorable Judge Scheindlin, Judge of the United States District Court for the Southern District of New York, at a time and place to be scheduled by this Court, for an order granting Defendants' motion for summary judgment and dismissing Gucci's claims, with prejudice, and for any other and further relief as this Court may deem just, proper, and equitable.

**DATED:** New York, New York December 12, 2011

HISCOCK & BARCLAY LLP

Darren W. Saunders

Mark I. Peroff Alpa V. Patel

Seven Times Square

New York, New York 10036 Telephone: (212) 784-5800 Facsimile: (212) 784-5757

E-Mail: dsaunders@hblaw.com
E-Mail: mperoff@hblaw.com
E-Mail: apatel@hblaw.com

Attorneys for Defendant Marc Fisher LLC